

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MANUFACTURERS AND TRADERS TRUST
COMPANY, as Successor Indenture Trustee for the
7.75% Contingent Convertible Notes Due 2015
issued by Calpine Corporation,

Plaintiff,

-against-

HSBC Bank USA, National Association, as
Successor Indenture Trustee for the 7.625% Senior
Notes Due 2006, the 8.75% Senior Notes Due 2007,
the 7.875% Senior Notes Due 2008, and the 7.75%
Senior Notes Due 2009 issued by Calpine
Corporation.

- and -

U.S. BANK NATIONAL ASSOCIATION, as
Indenture Trustee for the 10.50% Senior Notes Due
2006 issued by Calpine Corporation,

Defendants.

STATE OF NEW YORK)
: SS.:
COUNTY OF NEW YORK)

David H. Caldwell, being duly sworn, deposes and states:

1. I am not a party to this action, and I am over 18 years of age.

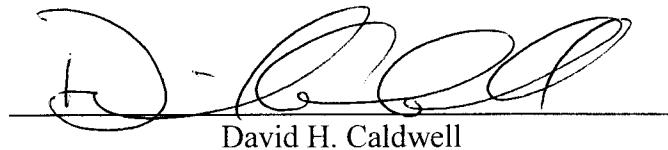
2. On 12th day of May, 2008, I served the DEFENDANTS' JOINT
MEMORANDUM OF LAW IN OPPOSITION TO PLAINTIFF'S MOTION TO REMAND and
DECLARATION OF SANDRA E. HORWITZ IN OPPOSITION TO PLAINTIFF'S MOTION
TO REMAND upon the following attorney at the address designated by them for service of
papers:

ECF Case
Case No. 08-CV-3093 (VM)

**AFFIDAVIT OF SERVICE BY FIRST
CLASS MAIL**

Rolin P. Bissell, Esq.
YOUNG CONAWAY STARGATT & TAYLOR, LLP
The Brandywine Building
1000 West Street, 17th Floor
P.O. Box 391
Wilmington, Delaware 19899-0391

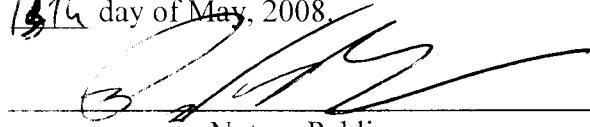
by depositing true copy of said document enclosed in a prepaid, sealed wrapper, in an official depository under the exclusive care and custody of the United States Post Office, within the State of New York.



David H. Caldwell

Sworn to before me this

14 day of May, 2008.



Notary Public

PETER A. BOIKO
Notary Public, State of New York
No. 01BO6132533
Qualified in New York County
Commission Expires August 29, 2009